



CITY OF LODI COUNCIL COMMUNICATION

M

AGENDA TITLE: Ordinance No. 1809 Entitled, "An Uncodified Ordinance of the City Council of the City of Lodi, Repealing Ordinance 847 in Its Entirety Relating to a Specific Plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road"

MEETING DATE: April 2, 2008

PREPARED BY City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1809.

BACKGROUND INFORMATION: Ordinance No. 1809 entitled, "An Uncodified Ordinance of the City Council of the City of Lodi, Repealing Ordinance 847 in Its Entirety Relating to a Specific Plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road," was introduced at the regular City Council meeting of March 19, 2008.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT None.

FUNDING AVAILABLE: None required.

A handwritten signature in black ink, appearing to read "Randi Johl".

Randi Johl
Randi Johl
City Clerk

RJ/jmp

Attachment

APPROVED:

A handwritten signature in black ink, appearing to read "Blair King".

Blair King, City Manager

ORDINANCE NO. 1809

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LODI, REPEALING ORDINANCE 847 IN ITS ENTIRETY
RELATING TO A SPECIFIC PLAN FOR LOWER SACRAMENTO
ROAD FROM WEST LODI AVENUE TO WEST TURNER ROAD

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Ordinance 847, adopted August 2, 1967, adopting a specific plan for Lower Sacramento Road from West Lodi Avenue to West Turner Road is hereby repealed in its entirety.

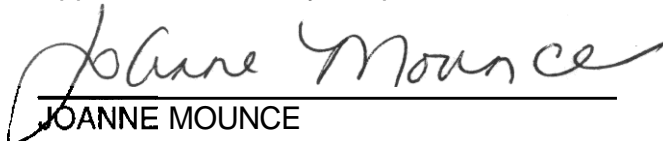
SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published pursuant to law and shall become effective thirty (30) days from the date of passage and adoption.

Approved this 2nd day of April, 2008



JOANNE MOUNCE
Mayor

ATTEST:



JENNIFER M. PERRIN
Deputy City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, Deputy City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1809 was introduced at a regular meeting of the City Council of the City of Lodi held March 19, 2008, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held April 2, 2008, by the following vote:


AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Katzakian,
and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1809 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


JENNIFER M. PERRIN
Deputy City Clerk

Approved to Form:


D. STEPHEN SCHWABAUER
City Attorney